

**MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 6, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.**

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Deb Schorr
Bob Workman

Commissioners Absent: Bernie Heier

Others Present: Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m..

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, December 23, 2003.

MOTION: Hudkins moved and Schorr seconded approval of the minutes of the Board of Commissioners meeting dated December 23, 2003. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. The County-City Volunteer of the Month Award was presented to Kathleen Uhrmacher for her services with the Lincoln-Lancaster Women's Commission.

B. Presentation of Digital Cities Award - Patte Newman, City Council and Doug Thomas, Information Services Manager

Patte Newman, City Councilwoman, appeared and presented the Digital Cities Award to Doug Thomas, Information Services Manager. She indicated that Lincoln-Lancaster County was named one of the top digital cities in the nation by the Center for Digital Government.

2) **SPECIAL PRESENTATIONS CONTINUED:**

Thomas appeared and explained that approximately 300 cities participated in the survey. He said the City-County web site averages seven million hits per month, with the month of June receiving 8.5 million hits.

In response to a question asked by Schorr, Thomas stated they are currently working on a centralized reporting system to allow individuals to request services or file complaints through a centralized facility which would then be routed to the appropriate agency.

3) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

4) **CLAIMS:** Approval of all claims processed through Tuesday, January 6, 2004.

MOTION: Hudkins moved and Schorr seconded approval of all claims processed through January 6, 2004. Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

5) **PUBLIC HEARINGS:**

A. County Special Permit 189A, requested by Christian Heritage Children's Home, to amend the previously approved special permit by expanding the office building from 7,000 square feet to 9,800 square feet and to allow up to 32 full-time equivalent employees (previously approved for 16 employees) on property generally located at South 148th Street and Old Cheney Road in Lancaster County, Nebraska.

The Chair opened the public hearing and asked if anyone wished to testify in favor of the special permit.

The Clerk administered the oath to Kent Seacrest, attorney representing Christian Heritage Children's Home and Gregg Nicklas, President of Christian Heritage Children's Home.

5) **PUBLIC HEARINGS CONTINUED:**

Seacrest briefly explained the proposal stating the request is for an amendment to an existing special permit to increase the office space from 7,000 square feet to 9,800 square feet and to increase the number of staff from 16 to 32. He stated they are not trying changing the number of children or the number of dwelling units. Seacrest added that they met with Don Thomas, County Engineer, regarding traffic issues. It was reported that Thomas had no objections to the request and informed them that 112th to 148th Streets is currently graveled with paving to take place in the coming year. Seacrest stated paving and grading of Old Cheney Road from 148th to 190th Street is shown in the 2006 Road and Bridge Improvement Program.

Nicklas conducted a Powerpoint presentation regarding the following phases:

- O **Phase I** - Purchase of land
- O **Phase II** - Construction of girls home
- O **Phase III** - Construction of boys home
- O **Phase IV** - Construction of office

The proposed amendment, he said, would be in reference to the office building (Phase IV). Nicklas referred to the number of employees previously approved (16) and stated the application is requesting allowance of up to 32 employees, which could be accommodated by the additional 15 feet at each end of the building.

Seacrest added there were no objections voiced by the Planning staff, the Planning Commission or the County Engineer.

In response to questions regarding lighting, Nicklas stated their intent is to install motion detection lighting for individuals walking up to the building at night. He added that they have contacted a lighting company regarding lighting which can be specifically directed toward the parking area.

No one else appeared to speak in favor of the proposal and the Chair asked if anyone wished to speak in opposition or in a neutral position.

5) **PUBLIC HEARINGS CONTINUED:**

Opposition

The Clerk administered the oath to Deb Kampschnieder.

Deb Kampschnieder, 6201 South 176th Street, Walton, Nebraska appeared in opposition addressing the following concerns:

- O Increase of employees
- O Increased traffic on Old Cheney Road
- O Parking
- O Lighting
- O Water

Schorr stated for the record that she visited with Charlene Shavey whose residence in the area.

The Chair asked if anyone else wished to testify.

No one appeared.

Schorr asked for clarification regarding paving on a portion of Old Cheney Road.

The Clerk administered the oath to Larry Worrell, Deputy County Engineer.

Worrell stated grading of Old Cheney Road from 148th to 190th Street is scheduled for 2006. He stated he didn't know when it would be paved.

The Clerk administered the oath to Mike DeKalb, Planning Department.

In response to a question asked by Hudkins regarding inspection of the water/well, DeKalb stated he didn't not know if the Health Department had made their inspection, however, he confirmed that the condition of the Board's previous approval was for the water system to be inspected by the Health Department prior to occupancy.

Hudkins asked if Planning had reviewed the lighting of the parking lot.

DeKalb stated Planning did not review the lighting. He said that the County has no standards for that and suggested that if the Board desires, they could obtain assurances from the applicant in relation to the lighting.

The Chair closed the public hearing.

6) **NEW BUSINESS:**

- A. An agreement terminating County contract C-03-0346 with St. Monica's Home which provides behavioral health services to high need youth who are wards of the State. The County and St. Monica's agree that it is mutually beneficial to terminate the agreement effective January 9, 2004. (C-04-0001)**

MOTION: Workman moved and Hudkins seconded approval of an agreement terminating County contract C-03-0346 with St. Monica's Home which provides behavioral health services to high need youth who are wards of the State. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

- B. An agreement with Polsky, Shiffermiller and Coe for the representation of indigent parents and juveniles in Juvenile Court proceedings pursuant to Neb. Rev. Stat. §43-247(1), (2), (3)(a) and (b), (4), (5), (6) and (8). Term of the agreement is from January 1, 2004 to December 31, 2006. The County will pay \$165,570 for the services provided. (C-04-0002)**

MOTION: Hudkins moved and Workman seconded approval of an agreement with Polsky, Shiffermiller and Coe for the representation of indigent parents and juveniles in Juvenile Court proceedings pursuant to Neb. Rev. Stat. §43-247(1), (2), (3)(a) and (b), (4), (5), (6) and (8). Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

- C. An interlocal agreement with Saunders County for the safekeeping, care and sustenance of juveniles while at the Lancaster County Juvenile Detention Center. Lancaster County will be reimbursed \$213 per youth, per day from Saunders County. The agreement is effective upon execution by both parties and has a 30 day termination provision. (C-04-0003)**

MOTION: Hudkins moved and Schorr seconded approval of an interlocal agreement with Saunders County for the safekeeping, care and sustenance of juveniles while at the Lancaster County Juvenile Detention Center. Schorr, Workman, Hudkins and Stevens voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

- D. A signature amendment for Wells Fargo Bank authorizing Ray Stevens, as the County Board Chair, to sign on behalf of the County for transactions on both of its accounts with the bank. The amendment also deletes Bernie Heier as an authorized signer for the accounts. (C-04-0004)**

MOTION: Workman moved and Schorr seconded approval of a signature amendment for Wells Fargo Bank authorizing Ray Stevens, as the County Board Chair, to sign on behalf of the County for transactions on both of its accounts with the bank. The amendment also deletes Bernie Heier as an authorized signer for the accounts. Hudkins, Workman, Schorr and Stevens voted aye. Motion carried.

- E. An amendment to County Contract No. C-03-0378 with Amanda Andrae which provides for professional services to assist with the implementation and management of program evaluation and the monitoring of activities established within the Quality Assurance Plan for programs under the Office of Juvenile Mental Health. The amendment provides for a three (3) month contract extension. The County shall pay an additional \$15,000 for the extension. (C-04-0005)**

MOTION: Schorr moved and Hudkins seconded approval of an amendment to County Contract No. C-03-0378 with Amanda Andrae for professional services to assist with the implementation and management of program evaluation and the monitoring of activities established with the Quality Assurance Plan for programs under the Office of Juvenile Mental Health. The amendment provides for a three month contract extension. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

- F. An agreement with Julie Poykko-Post to update the designated baseline data on two previous Legalized Gambling Impact Studies for the County and make recommendations based on the collection and analysis of this data. The term of the agreement is January 1, 2004 through March 31, 2004. The County shall pay \$2,000 for these services. (C-04-0006)**

6) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Hudkins seconded approval of an agreement with Julie Poykko-Post to update the designated baseline data on two previous Legalized Gambling Impact Studies for the County and make recommendations based on the collection and analysis of this data. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

G. A resolution concurring with the State of Nebraska, Department of Roads to award Federal Aid Project STPE-3265(6), Hickman North to Pavers Companies, in the amount of \$1,329,000. (R-04-0001)

MOTION: Workman moved and Schorr seconded approval of Resolution 04-0001 concurring with the State of Nebraska, Department of Roads to award Federal Aid Project STPE-3265(6), Hickman North to Pavers Companies, in the amount of \$1,329,000. Hudkins, Workman, Schorr and Stevens voted aye. Motion carried.

H. A resolution adopting an amendment to the Lancaster County Deferred Compensation Plan to conform with the final 457 Treasury regulations issued in July, 2003. (R-04-0002)

MOTION: Schorr moved and Hudkins seconded approval of Resolution 04-0002 adopting an amendment to the Lancaster County Deferred Compensation Plan to conform with the final 457 Treasury regulations issued in July, 2003. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

I. A resolution approving County Special Permit No. 189A, requested by Christian Heritage Children's Home, to amend County Special Permit No. 189 to expand the office building to 9,800 square feet and allow up to 32 full-time equivalent employees on property generally located at South 148th Street and Old Cheney Road in Lancaster County, Nebraska. (R-04-0003)

6) **NEW BUSINESS CONTINUED:**

MOTION: Workman moved and Hudkins seconded approval of Resolution 04-0003 regarding County Special Permit No. 189A, requested by Christian Heritage Children's Home, to amend County Special Permit No. 189 to expand the office building on property generally located at South 148th Street and Old Cheney Road in Lancaster County, Nebraska. Hudkins, Schorr, Workman and Stevens voted aye. Motion carried.

J. Recommendation from the Purchasing Agent and the Emergency Management Director to award a bid to purchase radios, mobile systems and repeaters for first responders to RACOM Corporation. This will be an award of \$709,171.45 using grant funds obtained by the Emergency Management Department. (B-04-0001)

MOTION: Hudkins moved and Schorr seconded approval to award a bid to purchase radios, mobile systems and repeaters for first responders to RACOM Corporation. This will be an award of \$709,171.45 using grant funds obtained by the Emergency Management Department. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

K. Recommendation from the Purchasing Agent and the Emergency Management Director to award a bid to purchase radio batteries for first responders to Multiplier Industries. This will be an award of \$14,560 using grant funds obtained by the Emergency Management Department. (B-04-0002)

MOTION: Hudkins moved and Workman seconded approval to award a bid to purchase radio batteries for first responders to Multiplier Industries. This will be an award of \$14,560 using grant funds obtained by the Emergency Management Department. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

L. Reappointment of Jennifer A. Gutierrez and Nancy Intermill to the Lincoln-Lancaster Women's Commission for two year terms through January 1, 2006.

MOTION: Schorr moved and Hudkins seconded approval of the reappointment of Jennifer A. Gutierrez and Nancy Intermill to the Lincoln-Lancaster Women's Commission for two year terms through January 1, 2006. Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

6) **NEW BUSINESS CONTINUED:**

M. A political subdivision tort claim filed against the Lancaster County Corrections Department by Mathew J. Heath for lost property, in the amount of \$36.11.

MOTION: Schorr moved and Workman seconded to accept the Director's recommendation and deny the political subdivision tort claim filed against the Lancaster County Corrections Department by Mathew J. Heath for lost property, in the amount of \$36.11. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

N. A letter of support to the Nebraska Schools Activities Association (NSAA) on behalf of the Lincoln/Lancaster County Convention and Visitors Bureau's proposal to retain volleyball tournaments.

MOTION: Hudkins moved and Schorr seconded approval of a letter of support to the Nebraska Schools Activities Association (NSAA) on behalf of the Lincoln/Lancaster County Convention and Visitors Bureau's proposal to retain volleyball tournaments. Workman, Schorr, Hudkins and Stevens voted aye. Motion carried.

7) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. Clerk of the District Court's Monthly Report for November, 2003.

B. Setting of a public hearing for Tuesday, January 20, 2004 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the following:

1. County Special Permit No. 204, Finigan 2nd Addition Community Unit Plan, requested by Lyle Loth of ESP on behalf of Pearle F. Finigan, consisting of four residential acreage units on property generally located at North 84th Street and Waverly Road in Lancaster County, Nebraska.

7) **CONSENT ITEMS CONTINUED:**

2. County Preliminary Plat No. 03007, Finigan 2nd Addition, requested by Lyle Loth of ESP on behalf of Pearle F. Finigan, consisting of four residential acreage units on property generally located at North 84th Street and Waverly Road in Lancaster County, Nebraska.

MOTION: Workman moved and Hudkins seconded approval of the Consent Items. Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

8) **ADJOURNMENT:**

MOTION: Schorr moved and Workman seconded adjournment of the Board of Commissioners meeting at 2:50 p.m.. Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, JANUARY 6, 2004
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Ray Stevens, Chair
Larry Hudkins, Vice Chair
Deb Schorr
Bob Workman

Commissioners Absent: Bernie Heier

Others Present: Norm Agena, County Assessor/Register of Deeds
Kerry Eagan, Chief Administrative Officer
Bruce Medcalf, County Clerk
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization meeting was called to order at 2:50 p.m..

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 23, 2003.

MOTION: Schorr moved and Workman seconded approval of the minutes of the Board of Equalization meeting held on December 23, 2003. Schorr, Hudkins, Workman and Stevens voted aye. Motion carried.

- 2) **PUBLIC COMMENT:**

There was no public comment and the meeting proceeded as planned.

3) **ADDITIONS AND DEDUCTIONS:**

Approval of 145 additions and deductions to the tax assessment rolls per Exhibit "A".

MOTION: Workman moved and Schorr seconded approval of the additions and deductions to the tax assessment rolls. Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

Christian Heritage
Christian Heritage Children's Homes
Christian Record Services, Inc. (2 exemptions)
Lincoln Action Program
Martin Luther Homes (2 exemptions)
Nebraska Wesleyan University
St. Joseph Catholic Church and School of Lincoln
St. Monica's
Temple Baptist Church

MOTION: Schorr moved and Hudkins seconded approval of the motor vehicle tax exemptions. Workman, Hudkins, Schorr and Stevens voted aye. Motion carried.

5) **ADJOURNMENT:**

MOTION: Hudkins moved and Schorr seconded adjournment of the Board of Equalization meeting at 2:52 p.m.. Hudkins, Workman, Schorr and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk